

**Ravalli County Planning Board
Agenda for February 15, 2006
3:00 p.m.
Commissioners Meeting Room, 215 S. 4th Street, Hamilton, Montana**

Public Hearing
Variance Request for the Daly Estates Major Subdivision (MOL, PPL)

1. Call to order:

Chip called the meeting to order at 3:05 p.m.

2. Roll Call (See Attachment A, Roll Call Sheet)

(A) Members

Ben Hillicoss (not present – excused)
Dan Huls (present)
Frankie Laible (present)
Roger Linhart (present)
Chip Pigman (present)
Les Rutledge (present)
Lori Schallenberger (present)
Garry Shook (present)
Gary Zebrowski (present)
Tom Ruffatto (not present – excused)

(B) Staff

Benjamin Howell
Karen Hughes
John Lavey

3. Approval of Minutes

Chip asked if there were any corrections or additions to the minutes from February 1, 2006. There were none. **Frankie** motioned to approve the minutes as presented, **Roger** seconded, and the motion passed unanimously.

4. Amendments to the Agenda

Addition of pro-Rata memo decision

5. Correspondence

There was none

6. Disclosure of Possible/Perceived Conflicts

There were none

7. Public Hearing

(A) Variance Request for the Daly Estates Major Subdivision (MOL, PPL)

- (i) Staff Report on the Variance Request: Benjamin Howell presented the staff report. He gave an overview of the variance request and stated that staff recommends approval of the variance request. He also said that two agency letters were received after the Staff Report was issued, but neither is relevant to this variance request. (See Attachment B, Daly Estates Variance Staff Report; & Attachment C and D for agency comment letters).

- (ii) Three Minute Rule Waiver Requests (if any)

There were none.

- (iii) Public Comment on the Variance Request

- (a) Persons in Favor

Terry Nelson with Applebury Survey stated that he agrees with the recommendations by staff.

- (b) Persons Opposed

There were none

- (c) Close: Public Comment

- (iv) Board Deliberation on the Variance Request (from the deadline for Phase 1)

- (a) Board discussion and questions

There was none

- (b) Board action

- (1) Review of the Variance Request against the Five Criteria

The Board did not review the Five Criteria beyond the findings of fact and conclusions of law in the Staff Report.

- (2) Board Decision

Lori made a motion to approve the variance as recommended by Staff.

Frankie seconded the motion.

The vote was called; and the members voted (8-0) to approve the variance. (See Attachment E, Vote Sheet for Variance Request for the Daly Estates Major Subdivision)

8. Close Public Hearing

9. **Communications from Staff**

A public meeting will be held in the County Commissioners Board Room on Friday, February 24, 2006 at 9:00 a.m. to discuss the Draft plan of the Old Corvallis Road Area 3 Neighborhood Plan. (See Attachment F, OCR3 Neighborhood Plan Flyer).

11. **Communications from Public**

An unknown man asked why so many subdivisions were approved in Ravalli County with variances. **Frankie** said that the laws are explicit enough to recommend approval if the sub meets the law. **Karen** offered to get the review criteria for the man to look at. The man said he was concerned because congestion and taxes are growing. Much of the decision must be made by the County Commissioners and is out of the purview of the Planning Board.

12. **Communications from Board**

Les offered copies of a memo he had crafted regarding pro rata. He noted that the date on this sheet should be changed to 2006. **Lori** asked if corrections needed to be made. By proxy, **Ben** wanted the last paragraph to contain stronger wording. **Tom**, also by proxy, thinks that draft is OK, but would like to see a donut around the pro-rata area of impact.

The general consensus of the Planning Board is that monies assessed by pro rata for a certain portion of a road should be used for that road, and not others.

Les offered testimony stating that the Planning Board has no input into the design of larger subdivisions. He said that the Board cannot do much in regards to preserving open space and wildlife habitat. He noted a state law that can encourage developments to offer cluster development. This state law can be reflected in subdivision regulations. He said that a good example of cluster development is called a "conservation subdivision". **Les** wrote an information sheet about conservation subdivisions, and would like to initiate conversation about conservation subs. (See Attachment G, Conservation Subdivisions).

Les asked what steps the Planning Board could take from here. He suggested that right up front, the developer could provide a conceptual plat. He said that the subdivision regulations can be amended to include a clause to the effect that these types of developments are desirable. He suggested that the Planning Board should come up with specific changes and suggestions that will give a chance to preserve open space.

Karen added that the Planning Board could be involved in the pre-app conferences for larger subdivisions. She said that questions to address are: what is the threshold size subdivision? What size/density of a subdivision could qualify for conservation subdivisions? Can a sub-committee of Planning Board members meet for pre application conferences? She said that it is possible to add a provision for conservation subdivisions in our regulations recommending them.

Garry Shook said that Planned Unit Development (PUD) provisions could be added into the subdivision regulations. PUD's are a type of conservation development. He said that the Planning Board could adopt a resolution stating that a PUD should be more expedited than others. This could give developers an incentive to create them.

Dan agreed to draft a memo to the BCC. The memo would state the Board's desire to expedite review of conservation developments and add a new clause in the subdivision regulations recommending them. He said that he will have the memo ready for the next scheduled meeting.

Karen again asked if members of the Board would like to participate in pre-app conferences. It was decided that no members would participate in pre application conferences.

Dan Huls said that the next Right to Farm and Ranch Board meeting will be March 9, 6:30 at the Woodside Grange Hall.

13. **New Business**

There was none.

14. **Old Business**

There was none

15. **Next Regularly Scheduled Meeting: March 1, 2006 at 7:00 p.m.**

Sunnyside Orchards #3, Block 12, Lot 32, AP (Blue Jay Investments, LLC) Minor Subdivision and One Variance Request – Public Hearing

16. **Adjournment**

Dan Huls adjourned the meeting at 4:40 p.m.